

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:)	
DEVIN BRYAN HEWETT and)	CASE NO. 11-02504-PMG
CATHRYNE PALACIOS HEWETT,)	CHAPTER 13
)	
Debtors.)	
)	

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
CLAIM NINE (9) OF WELLS FARGO BANK, N.A. AND TO STRIP LIEN EFFECTIVE
UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of the Homestead property mortgage held by Wells Fargo Bank, N.A. (Claim Nine) and to Strip Lien (the "Motion") filed July 28, 2011 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002--4, Local Bankruptcy Rules, it is

ORDERED:

1. The Motion to Determine Secured Claim Status Nine (9) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Nine (9) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

Lots 2 and 3, Block 4, JOHNSON'S REPLAT according to the Plat thereof as recorded in Plat Book 20, Pages 49 and 49A, of the current Public Records of Duval County, Florida.
4. The mortgage held by Wells Fargo Bank, N.A. recorded on August 6, 2007 at Book 14121, Pages 358 through 371, Document No. 2007252302 of the official records of Duval County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Wells Fargo Bank,

**"RECORDED" IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
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N.A.'s lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

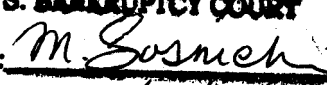
DATED this 1 day of ~~August~~^{September} 2011 at Jacksonville, Florida



PAUL M. GLENN
Chief United States Bankruptcy Judge

Copies to:

Debtors, Devin and Cathryne Hewett, 3832 Bessett Road, Jacksonville, FL 32218
Bankruptcy Law Firm of Lansing J. Roy, P.A., Debtors' Attorney, 1710 Shadowood Lane, Suite 210, Jacksonville, FL 32207
Douglas W. Neway, Trustee, P.O. Box 4308, Jacksonville, FL 32201-4308
United States Trustee's Office, 175 West Central Blvd, Suite 620, Orlando, FL 32801-2476
Creditor, Elizabeth Field, Wells Fargo Bank, N.A., Home Equity Group
X2303-01A - 1 Home Campus, Des Moines, IA 50328-0001
Designated Officer for Creditor, Dick Kovacevich, Chairman & CEO, Wells Fargo Bank, N.A.
420 Montgomery Street, San Francisco, CA 94104

I certify the foregoing to be true
and correct copy of the original.
CLERK OF COURT
U. S. BANKRUPTCY COURT
By: 
Dated: 10/21/2011